

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SECURITIES AND EXCHANGE COMMISSION,	Case No. 18-cv-4309 (RWS)
Plaintiff,	
v.	
FRANCISCO ABELLAN VILLENA, et al.	
Defendants.	

**DECLARATION OF DANIEL MAHER IN SUPPORT OF THE COMMISSION'S
PROOF OF SERVICE ON DEFENDANT FRANCISCO ABELLAN VILLENA**

DANIEL MAHER, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am over eighteen years of age, and I am employed as Assistant Chief Litigation Counsel in the Division of Enforcement of the Securities and Exchange Commission (“Commission”). I serve as co-counsel to the Commission in the above-captioned litigation. I am making this declaration in support of the Commission's proof of service on Defendant Francisco Abellana (“Abellana”). I make these statements based upon my personal knowledge, information and belief.
2. The Complaint in this case was filed on May 15, 2018 (Doc. #4). The Commission promptly commenced efforts to locate and serve Abellana, a Spanish citizen who largely resided in Barcelona during the events in the Complaint.
3. On September 10, 2018, the Commission retained a Spanish lawyer named Montserrat Jane Casas (“Casas”), of the law firm Gomez-Acebo & Pombo Abogados, S.L.P., to locate and serve Abellana in a manner consistent with Spanish law. Casas, in turn, retained an investigator to help find Abellana.

4. On April 23, 2019, the U.S. Department of Justice indicted Abellan in connection with the conduct described in the Commission's Complaint. That case is proceeding in the District of Arizona.

5. On or about October 2019, Abellan was incarcerated by Spanish authorities at the penitentiary in Ibiza. Casas arranged to have Abellan, while he was incarcerated, duly served with the SEC's complaint in a manner consistent with Spanish law.

6. Attached to this declaration are authentic copies of four exhibits. Exhibit 1 is the untranslated certificate of service. Exhibit 2 is certified translation of that certificate. Exhibit 3 is the certification for the translation. Finally, Exhibit 4 is a signed statement by the Spanish court agent who served Abellan explaining that service was consistent with Spanish and international law. Casas provided Exhibits 1 and 4 to Commission staff. Commission staff sought the translations.

I declare under penalty of perjury that the foregoing is true and correct

Executed on January 24, 2020
Washington, D.C.



Daniel Maher